



U.S. Department of Justice

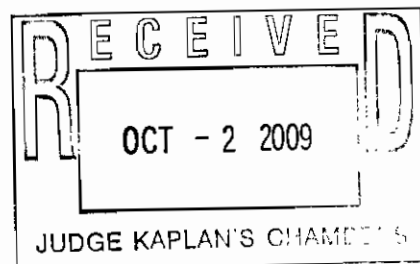
United States Attorney **DOCKET**  
Southern District of New York

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

October 2, 2009

**By Hand**

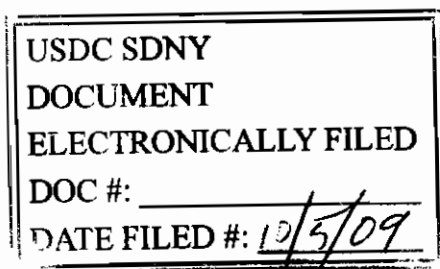
Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York



**Re: United States v. Ahmed Khalfan Ghailani**  
**S(10) 98 Cr. 1023 (LAK)**

Dear Judge Kaplan:

The Government writes respectfully to advise the Court that the Attorney General has today authorized and directed this Office not to seek the death penalty against the defendant. A copy of the Attorney General's letter is attached.



Respectfully submitted,

PREET BHARARA  
United States Attorney

By: 

David Raskin

Leslie C. Brown

Michael Farbiarz

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Assistant United States Attorneys

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cc: Gregory E. Cooper, Esq.  
Peter Enrique Quijano, Esq.



Office of the Attorney General  
Washington, D.C. 20530

October 2, 2009

The Honorable Preet Bharara  
United States Attorney  
Southern District of New York  
New York, New York 10007

Dear Mr. Bharara:

You are authorized and directed not to seek the death penalty against Ahmed Khalfan Ghailani.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric H. Holder, Jr.", is positioned above the printed name.

Eric H. Holder, Jr.  
Attorney General